



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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TOM BURNS, PLANNING DIRECTOR

February 2, 2005

February 9, 2005

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

**SUBJECT: Appeal of the Zoning Administrator's decision to approve
Application Number 04-0116**

Members of the Commission:

History

Your Commission heard this appeal on January 12, 2005 and requested the appellant and the applicant meet at a neighborhood meeting and return to the Planning Commission. The applicant and the Commission agreed that this appeal return with the results of the meeting on February 9, 2005.

Meeting Results

A meeting was held on Friday, January 28, 2005 and facilitated by Kay Archer Bowden (a professional facilitator). The meeting notes are attached.

It is clear from the notes that the neighbors and the applicants are far from agreement. The notes mention some efforts to be made on the part of the applicant. Staff recommends that the Commission hear the testimony from both sides. Staff is supportive of changing the color of the proposed residence to lessen the impact on the streetscape.

Main Issues

Among the topics discussed at the neighborhood meeting were some that could be clarified by staff.

Application of Chapter 13.11

Chapter 13.11 of the Santa Cruz County Code does **not** apply to this lot. Within the applicability section of Chapter 13.11 is the following:

"Design review shall be required for the following private and public activities for which a development, coastal or land division permit approval is required by the County of Santa Cruz:

(a) Single home construction, and associated additions involving 500 square feet or more, within coastal special communities and sensitive sites as defined in this Chapter."

Both Coastal Special Communities and Sensitive Sites are defined in the beginning of the Chapter as:

(c) "Coastal Special Communities" means those areas designated in the Local Coastal Program and General Plan Land Use Maps as Special Communities due to their unique characteristics and visitor destination qualities, specifically: Davenport, the Yacht Harbor, East Cliff Village tourist area, Pleasure Point/41st Avenue, the Rio Del Mar Flats/ Esplanade, Seacliff Beach Area, and that area within the Rural Services Line on the Local Coastal Program map for the land use plan of La Selva.

(u) "Sensitive Site" shall mean any property located adjacent to a scenic road or within the viewshed of a scenic road as recognized in the General Plan; or located on a coastal bluff, or on a ridgeline

The site at 106 Farley Drive does not fit either of these definitions in that it is not located on the Esplanade in Rio Del Mar Flats, nor is it on, adjacent to, or within the viewshed of a scenic road, nor is it located on a coastal bluff or on a ridgeline.

Definition of Neighborhood

Another topic discussed at the neighborhood meeting was the "definition of neighborhood". This is an important issue because the County Code specifically uses the word neighborhood, but nowhere is this term defined.

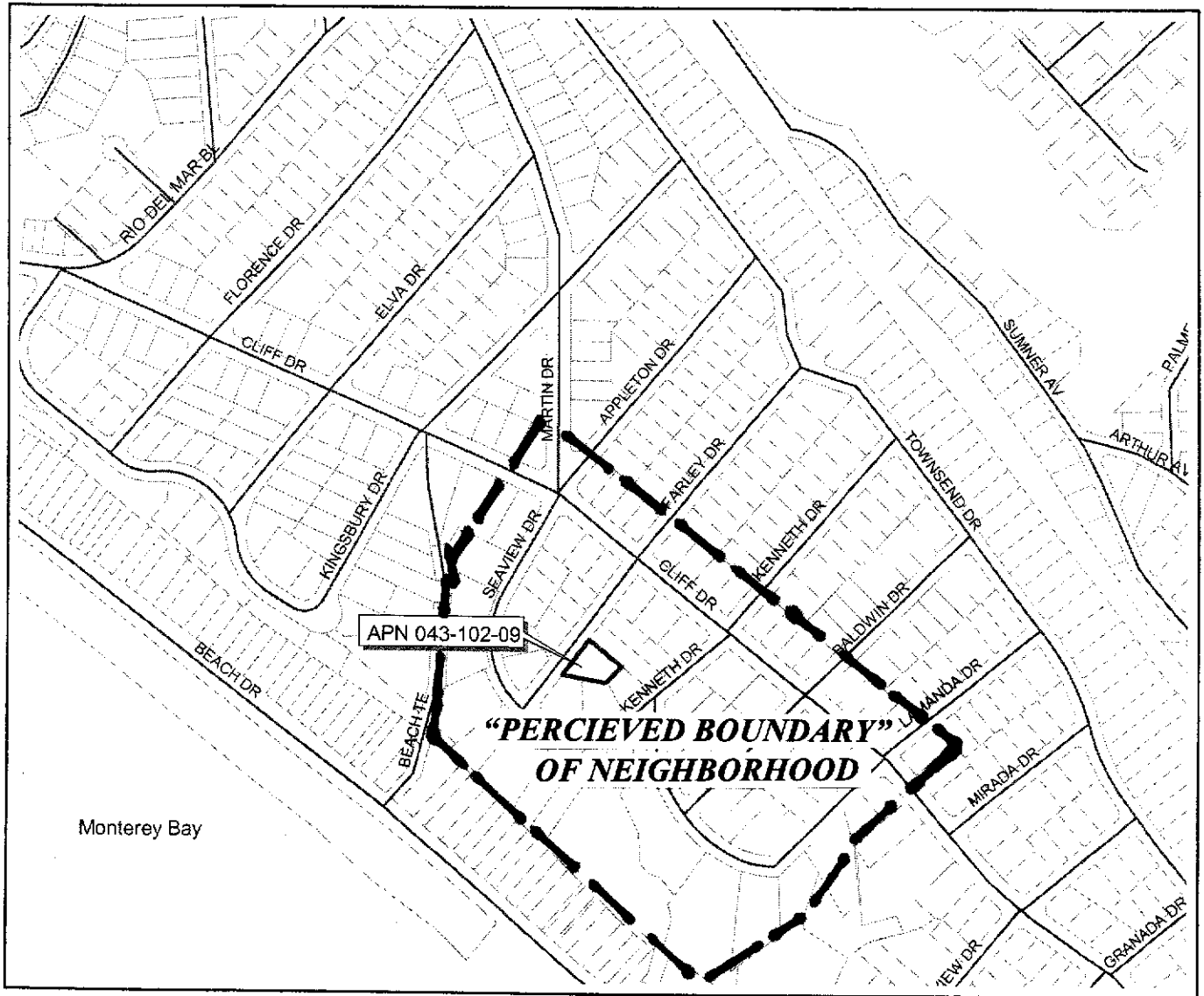
Staff believes the definition of neighborhood may not be as restricted as the appellant's may believe nor is it as expansive as the applicant's would like to believe. While it is difficult in this case to absolutely pinpoint the "edge" of the "neighborhood", one might reasonably believe that it could extend a minimum of one block away on all sides, but definitely not within a one mile radius.

Some neighborhoods are defined by their edge, i.e. Monterey Bay, East Cliff, Moran Lake, etc. Others are identified by a "perceived center" such as 41st Avenue and Portola. Staff believes the "neighborhood" for this project might be perceived as the "Seaview Area", which would be defined by Cliff Drive, the bluff at the bay side of Seaview Drive and Seaview Drive and Lamanda Drive (see attached Figure 1).

Comparison of Floor Areas

The appellants have attempted to compare the size (floor area, presumably) of this house with those in the "neighborhood". While the immediate neighbors have smaller homes, there have

Location Map



1000 0 1000 Feet

Map created by Santa Cruz County
Map created by Santa Cruz County
Planning Department:
March 2004



Figure 1

Please see Item 12 of the January 12, 2005 Planning Commission agenda to view a copy of the previously submitted staff report and attachments.